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DR. HOFFMANN'S "MECHILTA."

מכילתא דרבי שמעון בן יוחאי על ספר שמות מלוקטת מתוך
 מדרש הגדול . . . עם הערות ומראה מקומות ופתיחה קצרה מאת דוד
 צבי האפפמאן. *Mechilta de-Rabbi Simon b. Jochai, ein halachischer und
 haggadischer Midrasch zu Exodus*, reconstruirt von Dr. D. HOFFMANN.
 (Frankfurt, 1905. Pp. xvi + 180. 8vo.)

THE Mechilta of R. Simon b. Yohai was formerly regarded as one of the lost Midrashim from which but few scanty citations were known to have been preserved. In his excellent "Introduction to the Mechilta," Lektor Friedmann collected all the passages bearing upon this Mechilta as far as they were then known, without, however, presenting a clear idea of the original contents of the work (Mech. ed. Wien, 1870, pp. xlix sq.). Light was first thrown upon this subject by Dr. Isr. Lewy, who rediscovered the Mechilta in the old compilation *Midrash ha-Gadol*, and showed in a critical estimate of the work that numerous Baraitot of the Talmud belonged to it¹. Dr. D. Hoffmann, who for some time past has been engaged upon the study of the *Midrash ha-Gadol*, and has already issued several valuable studies concerning it, of distinct importance for the study of the Halachic Midrashim, published this Mechilta during the years 1901-4 in the Hebrew magazine *ha-Peles*. By means of the reprint now lying before us, this long-sought-for work has been finally made accessible to scholars in convenient shape; for this service we owe the learned investigator a debt of thanks.

The MS. of the *Midrash ha-Gadol* (=M.H.), which is among the treasures of the Royal Library in Berlin, has served as basis for the publication; furthermore, two MSS. of the same work in New York were utilized for purposes of comparison. Twelve leaves from the Genizah at Cairo, constituting MSS. of the Mechilta de R. Simon (=Mech. II), were placed at the editor's disposal through the kindness of Prof. S. Schechter. It was still possible to make use of these in the preparation of the present edition. They rendered good service, in many instances, in the correction of the text of the M.H., but what is more than that, they afforded a very welcome norm for controlling it. For this voluminous M. H., part of which has been published²,

¹ Lewy, *Ein Wort über die Mechilta des R. Simon*, Breslau, 1889.

² Vol. I, Cambridge, 1903, ed. Schechter.

simply places the extracts one after the other without further information as to the sources; and, although parallel passages, citations, as well as the whole character of our Mech. II, offer some small help, it still remains difficult to come to a definite conclusion as to how many pieces are to be assigned to the one source and how many to the other—all the more so because the citations of the Midrash are very rarely literal. The whole competence of our editor was requisite to proceed in each case with the necessary tact in the handling of this difficult material, and it is interesting to note how our author was himself often in doubt as to the dependance of the various pieces in M. H. on Mech. II.

The present volume contains: (1) a short introduction (v-xiii); (2) the text of Mech. II (1-166); (3) additions thereto, together with notes by the editor (167-73); (4) a supplement consisting of various pieces which had appeared in *ha-Peles*, and were later eliminated on the strength of the above-mentioned Genizah MS. (178-80); (5) the different readings of the New York MSS. of the M. H. (xiv, xv, and 177); (6) supplementary passages to the text, mostly on the basis of MSS. (xvi. 177, 178); (7) an index of the authors quoted (174-5).

The text of Mech. II relates, on the whole, to the same biblical passages as that of the old well-known Mechilta de R. Ismael (=Mech. I), namely, to Exodus xii. 1-xxiii. 19, xxxi. 12-17, and xxxv. 1-3. Altogether new is the Halachic Midrash to xxxiv. 12-26; likewise the entire Agadic Midrash. Of these Dr. Hoffmann gives (pp. 1-5) two pieces to פ' שמות and וארא, and (p. 167 sq.) further passages from the M. H. to Exod. iii-x, which seemed to him to belong to Mech. II. These former pieces were also published by Lektor Friedmann in his Appendix (p. 118 sq.); Dr. Hoffmann presents them in a different order and, as I believe, without sufficient reason. It is true that the error is to be found in the work which lies at the basis of Lektor Friedmann's volume, namely, the Wilna ed. of 1844; here both pieces are already assigned to the two Parashiot, which is, of course, a mistake. For the question here is obviously not as to an Agadic interpretation of וארא, but rather, as the reader easily notices, as to the explanation and interpretation of שלח נא ביד תשלח (Exod. iv. 13). The startling boldness of Moses' reply has to be censured, and it must be shown how he was spared in spite of it. In proof of this Exod. vi. 2 is cited—וירב אלהים אל משה. Another Agada deduces the clemency shown to Moses from the services rendered by his father Amram. There, where the editor with sure instinct inserts the words, לכך נאמר וירב אלהים אל משה ויאמר אליו אני ה' (p. 3 and Note ק), the whole alleged Midrash to וארא belongs as an interpolation; the

continuation is given with the words וחכמים אומרים. The notes do not make it quite clear whether the partition of this portion is already to be found in the M.H.; but even if such were the case, we would still be compelled, by reason of the clearness and the orderliness of the structure of the text, to retain the order of the text as it is given in the Wilna ed. of 1844. This view of the matter is furthermore confirmed by the interpretation of chap. vi among the additions (p. 170), which is quite different from our Midrash.

The importance of the new publication consists in the fact that we now possess a Midrash to Exodus from the school of R. Akiba. The fundamental difference between this and Mech. I are made manifest in every line. In aim, method, and technical formulas of interpretation, the difference between the two is distinct and decisive. Mech. II shows all the characteristics of the Midrashim of R. Akiba¹. The authors most frequently quoted are altogether different in each case. The names which characterize the Midrashim of R. Ismael, such as ר' יאשיהו and ר' יונתן (cf. *Zur Einl.*, p. 38) are almost altogether absent in Mech. II. Of the five passages in which the index shows the reading ר' יאשיהו, three at least must, in accordance with Mech. I, be read יהושע; of the two with ר' יונתן, one is doubtful, and the other is found in a long passage borrowed word for word from Mech. I. It happens quite frequently in Mech. II that the names of the authors whose interpretations are given, are absent.

The material divergencies between the two works are soon made evident by placing a few small parallel passages in juxtaposition.

Exod. xxi. 2 עברי עברי.

Mech. I

(Nesikin I, ed. Friedmann 74 b).

בבן ישראל הכתוב מדבר או אינו
אלא בעבדו של עברי ומה אני מקיים
והתנחלתם אותו וגו' בלוקח מן הגוי
אבל בנלקח מ'ישר' שומע אני שיהא
עובד שש ויצא בשביעית ת"ל כי ימכר
לך

Mech. II

(pp. 118, 119).

ר' ישמעאל אומ' בעבד עברי הכתוב
מדבר את אומר בעבד עברי או אינו
אלא בעבד כנעני ומה אני מקיים
והתנחלתם אותם . . . בלוקח עבד מן
הגוי אבל בלוקח עבד מישראל יכול
יצא בשש ת"ל כי תקנה . . . ולהלן
הוא אומר כי ימכר לך הוא
שנאמר כן

It is thus evident that what appears anonymous in Mech. I, because

¹ Cf. Hoffmann, *Zur Einleitung in die halach. Midraschim*, p. 50.

obviously proceeding from the redaction, is quoted in Mech. II, where it just as obviously constitutes a *foreign* element, under the name of R. Ismael. We find exactly the opposite relation in the following passage:—

Exod. xxii. 4 מיטב שדהו ומיטב כרמו (cf. *Gittin*, 49 a).

Mech. I

(Nesikin XIV, ed. Friedmann 90 b).

Mech. II

(p. 140).

מיטב שדהו של ניזק ומיטב כרמו	מלמד שאין שמים לו אלא מן העדית
של ניזק דברי ר' ישמעאל ר"ע אומר	יכול אם הזיקה בזיבורית יהו שמים
לא בא הכתוב ללמדך אלא ששמים	לו מן העדית ת"ל שדה מניין
נוזקין בעדית ק"ו להקדש	לכל המשלם קנס שאין שמים לו אלא
	מן העדית ת"ל מיטב שדהו ומיטב
	כרמו זה בנין אב לכל המשלם קנס
	שמים שמים לו אלא מן העדית

Here Mech. II gives anonymously as the opinion of the school what Mech. I gives as the opinion of R. Akiba pronounced in opposition to the doctrine of R. Ismael which is cited *there* as the opinion of the school. It is interesting to note that RITBA quotes our work as the Mech. of R. Akiba (cf. p. 55, Note ע). Among the differences between the two there must be mentioned the striking frequency of literal citations from the Mishna which are to be found in Mech. II; this point deserves particular attention.

Quite as important as the comparison of the variations between the two works would also be a comparison of the passages common to both Mech., and the different methods of composition and presentation in vogue in both schools; I mean, above all things, the different manner of style, of elimination, of addition, and of alteration of authors' names. It would have been highly welcome if the notes had more frequently entered upon a discussion of these points. Particularly numerous are the consonant passages in the Agadic portions (p. 37 sq.). Dr. Hoffmann explains this by the thesis that the Agadot were written down very early and were hence very easily transferable (p. xi). Other arguments, however, can be adduced in support of this consonance. First of all, radical school-differences with regard to the Agadah could hardly have existed. Furthermore, the school of R. Akiba was weak in the Agadah—*הנה עקיבא מה לך אצל הגדה* (*Sanh.*, 67 b). Finally, style and composition show enough variations in details even here. The difference in the

manner of composition is manifest at every turn¹, and, above all things, the variation in the naming of the authors is striking.

The question as to how much simple exegesis is common to both works also deserves attention. The simple interpretation of the Scriptures by the Tannaim has, up to the present, not been sufficiently dealt with; for such a study, the fact that such an agreement exists between the two different original sources, is of the greatest significance.

But if the dependance of Mech. II on the school of R. Akiba is beyond question, its relation to the Sifre debe Rab is uncertain. The matter of fact stands as follows: Mech. II, both as to contents and style, exhibits all the peculiarities of Sifre debe Rab; the latest Geonim quote passages from it as borrowed from Sifre debe Rab. In opposition to this, however, it is certain that those Baraitot which are identical with Mech. II, are cited in the Palestinian and Babylonian Talmuds not as **תנא רבי רב** or simply as Baraita, but as **תנא רבי חזקיה** or **תני חזקי'** and under similar formulas; yet, certain passages from Sifre debe Rab are absent from Mech. II. Dr. Hoffmann, therefore, decides against regarding Mech. II as belonging to Sifre debe Rab, and affirms (in opposition to Dr. Lewy and to his own previous opinion) its identity with the Midrash of Hizkiah. It seems to me, however, that his arguments in favour of his new viewpoint are not very strong; particularly is his *argumentum e silentio*, in the case of a work known only through extracts, not of great significance. In the meanwhile this question must still remain open for discussion.

The notes of the editor are very brief and concise; they content themselves with referring the reader to parallel passages, and occasionally contain nothing more than short, pregnant hints. As I said before, more frequent discussion in the notes of the method of interpretation followed in our work would have been highly welcome.

In conclusion, a few more details may be mentioned. To Exod. xii. 3, Mech. II quotes **עדת בני ישראל**. The same reading occurs in the old versions, in the Midrashim and in certain MSS., and because of its almost universal use in the Pentateuch, deserves preference to the reading of the Massora (opposite to p. 8, Note פ). To Exod. xii. 16 (p. 16), reference should have been made to Mishna Yom Tob, V, 2, and to the only correct explanation, that **שבות דרשות** and **שבות דמצוה** must be distinguished one from the other (Lewy, *Ueber einige Fragmente aus der Mischna des Abba Saul*, p. 7, Ein

¹ It may be sufficient to adduce one example. The formula in the case of anthropomorphisms [מה שהיא יכולה לשמוע] **הרי אנו מכנין אותו לשכך את האוזן** (ed. Friedmann 65 a) runs in Mech. II: **משמעין את האוזן מה שיכולה לשמוע**; cf. Lewy, *Ein Wort*, &c., p. 26.

Wort, &c., p. 6). The reference to Nachmanides to Lev. xxiii. 24, נחת שם ותמצא נחת (Note 'ס) signifies but little. Of interest is also the explanation with which Mech. II contents itself—אך הפסיק הענין, to which it enumerates some analagous cases; Mech. I (p. 10 a) proceeds quite differently.—To p. 40 and Note ג, the reader should be referred to Sifre Deut., § 308, and Hoffmann, לקוטי בתר לקוטי p. 4.—To p. 51: the expression כי היכי דכתיבא לעילא occurs again to xx. 10 (p. 108), but seems here to relate to another passage in the *Midrash ha-Gadol*; to xx. 10 it refers to Mech. II, p. 16.—To p. 70: the number שמונה עשרה ברכות בתפלה may have been an intentional expression, and not merely the current phrase; ב' המינים was thus the eighteenth and not the nineteenth in the Tefilla. That which immediately follows, ו"ח פסוקי דנחמה, may serve as proof of this. The last verse with כי בא is, however, beyond doubt a later addition.—P. 84, Note ו': the passage must be altered according to Mech. I, p. 56 a.—Pp. 89 and 94: the variations from Mech. I, which are not without importance, are not mentioned; cf. Friedmann, p. 59 b.—To p. 102, ש: cf. Targum Jonathan und Jeruſalmi.—P. 117: very curious is the enumeration in this Tanna debe Rab of R. Ismael's thirteen rules of interpretation; whether they can be explained by the analogy מרה = דין = משפט, as Hoffmann proposes ("Festschrift zum siebenzigsten Geburtstag A. Berliners"), is doubtful.—P. 118, line 7, from the bottom: עבר עבר must be read twice.—P. 125: of interest is the fact that Mech. II gives the story concerning Julian and Pappos in complete agreement with Sifra. Taanith, 18 b, to which Note ג refers, has the following in addition: ואע"פ כן הירגן מיר; cf. Joel, *Blicke*, I, p. 16 sq.; Graetz, IV, Note 14. This most probably read in accordance with Sifra, 99 d, לא זז משם.—To p. 130, verse 23, cf. Lewy, p. 23, No. 5, where after תחת נפש ולא נפש is added תחת נפש ועין תחת נפש ועין נפש ובהמה תחת נפש ולא נפש ועין תחת נפש ועין נפש.

I. ELBOGEN.